

60 Rec'd PC 50 08 JAN 2001

FORM PTO-1390
(REV 5-93)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTORNEY DOCKET NO.
100564-00044

DATE: January 8, 2001

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLN. NO.
(IF KNOWN, SEE 37 C.F.R. 1.5)

09/720252

INTERNATIONAL APPLICATION NO.
PCT/EP98/05542INTERNATIONAL FILING DATE
1 September 1998PRIORITY DATE CLAIMED
6 July 1998

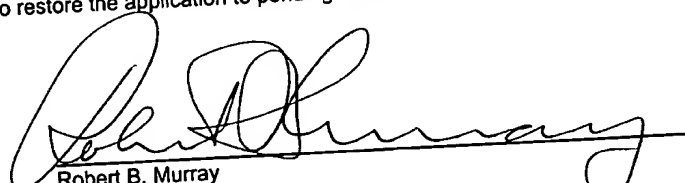
TITLE OF INVENTION: RECOMBINANT HERPESVIRUSES FOR GENERATING RECOMBINANT ADENO-ASSOCIATED VIRUSES

APPLICANT(S) FOR DO/EO/US: Regine HEILBRONN

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
(THE BASIC FILING FEE IS ATTACHED)2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.3. ☒ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).4. ☒ A proper demand for International Preliminary Amendment was made by the 19th month from the earliest claimed priority date.5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).b. ☒ has been transmitted by the International Bureau.c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).6. ☒ A translation of the International Application into English [35 U.S.C. 371(c)(2)].7. ☒ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]a. ☒ are transmitted herewith (required only if not transmitted by the International Bureau).b. ☒ have been transmitted by the International Bureau.c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.d. ☐ have not been made and will not be made.8. ☒ A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].9. ☐ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 16 below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.13. ☒ A **FIRST** preliminary amendment.☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.14. ☐ A substitute specification.15. ☐ A change of power of attorney and/or address letter.16. ☒ Other items or information: PCT/IPEA/416, PCT/IPEA/409, PCT/RO/101, PCT/ISA/210
CHECK NO. 308550
Drawings (6 sheets)

U.S. APPL. NO. (IF KNOWN) SEE 37 C.F.R. 1.50		INTERNATIONAL APPLICATION NO. PCT/EP98/05542		ATTORNEY DOCKET NO. 100564-00044	
09/720252				DATE: January 8, 2001	
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee [37 C.F.R. 1.492(a)(1)-(5)]: Search Report has been prepared by the EPO or JPO.....\$860.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482).....\$690.00 No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)].....\$710.00 Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO.....\$1,000.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 100.00				CALCULATIONS PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 860	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].				\$ 00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	29 - 20 =	09	X \$ 18.00	\$ 162	
Independent Claims	0 - 3 =	00	X \$ 80.00	\$ 00	
Multiple dependent claim(s) (if applicable)			+ \$270.00	\$ 00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,022	
Reduction by one-half for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28).				\$ 511	
SUBTOTAL =				\$ 511	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].				\$ 00	
TOTAL NATIONAL FEE =				\$ 511	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				\$ 00	
TOTAL FEES ENCLOSED =				\$ 511	
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$511 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2300 in the amount of \$ to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300.					
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Arent Fox Kintner Plotkin & Kahn 1050 C nn cticut Av nu , N.W. Suit 600 Washington, D.C. 20036-5339 T I: (202) 857-6000 Fax: (202) 638-4810 RBM/cb					
 Robert B. Murray R g. No. 22,980					